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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,546	12/26/2000	Ichiro Okajima	201339US2	8730

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EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,546

Applicant(s)

OKAJIMA ET AL.

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8 and 18-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-8 and 18-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment filed 11/9/2004. Accordingly, claims 1-4 and 9-17 are cancelled and claims 5-8 and 18-35 are pending for examination.

Claim Objections

2. Claim 19 is objected to because of the following informalities: claim 19, line 2, "a communication session" should be --a communication session signal-- to be corrected because of referring to calling signal as defined in claim 19. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 5-8, 18-19, 21-32 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US PAT. 5,392,284) in view of Bruno et al. (US PAT. 6,356,533 hereinafter Bruno).

Regarding claim 18, Sugiyama discloses an apparatus for configuring a virtual terminal that including a plurality of communication devices (a first information communication device and a second information communication device, abstract) accessible to the apparatus comprising a signal interface unit (18, figure 1) configured to receive a calling signal from a calling terminal, the calling signal including at least a first content part, i.e., a first information, and a second content part, i.e., a second information, the second content part containing information of different media content than the first content part (abstract), an information separating unit (17, figure 1) configured to separate the first content part from the second content part of the calling signal (col. 6 lines 4-6), and a virtual terminal interface (5 and 11, figure 1) configured to send information corresponding to the first content part to a first communication device and to send information corresponding to the second content part to a second communication device in order to providing multimedia communication, wherein each of the first communication device and the second communication device is one of the plurality of communication devices (abstract and col. 4 line 5 through col. 6 line 22). Sugiyama differs from the claimed invention in not specifically teaching the apparatus comprising a terminal management unit configured to identifying communication attributes of the plurality of

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communication devices accessible to the terminal management unit and identifying which of the plurality of device are capable of processing information corresponding to at least one of the first content part and the second content part so that the virtual terminal interface sends information corresponding to the first content part to the first communication device identified by the terminal management unit as being capable of processing the information of the first content part, and sends information corresponding to the second content part to the second communication device identified by the terminal management unit as being capable of processing the information of the second content part. However, Bruno teaches a communication processor, read as a terminal management unit, configured to identify communication attributes of a plurality of communication devices accessible to the communication processor and to identify which of communication modes to be selected based on abilities of the user devices (abstract and col. 3 lines 12-32). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Sugiyama in having the terminal management unit configured to identifying communication attributes of the plurality of communication devices accessible to the terminal management unit and identifying which of the plurality of device are capable of processing information corresponding to at least one of the first content part and the second content part so that the virtual terminal interface sends information corresponding to the first content part to the first communication device identified by the terminal management unit as being capable of processing the information of the first content part, and sends information corresponding to the second content part to the second communication device identified by the terminal management unit as being capable of

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processing the information of the second content part, as per teaching of Bruno, in order to make user friendly by allowing the communication mode based on the abilities of the user devices.

Regarding claim 5, Sugiyama teaches a format conversion mechanism (6 and 12, figure 1) configured to convert the at least one of the first content part and the second content part into corresponding items of information coded according to respective information coding schemes employed in the respective communication devices (col. 4 lines 23-31 and lines 48-51).

Regarding claim 6, Bruno discloses to identify one of the devices based on communication attributes, i.e., a profile information, (col. 3 lines 20-24), which obviously includes information indicating predetermined communication abilities of the plurality of communication devices.

Regarding claim 7, Bruno teaches to compress and expand the at least one of the first content part and the second content part (col. 6 lines 19-54).

Regarding claim 8, Bruno discloses to filter the respective transmission media in accordance with communication abilities of the respective communication devices identified by the processing unit based upon communication attributes (col. 6 lines 47-54).

Regarding claim 19, Sugiyama discloses the calling signal being at least one of a multi-media signal, a communication session signal and a video conferencing signal (abstract).

Regarding claim 21, Sugiyama discloses a conversion mechanism configured to convert a signal scheme of the first content part into another signal scheme, wherein the processing unit is configured to identify the first terminal as being capable of processing data in another format (col. 3 lines 20-26).

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Regarding claims 22-23, Sugiyama discloses the first content part including digital data that is representative of an audio signal, and the second content part including digital data that is representative of a video signal (col. 4 lines 8-13 and lines 32-40).

Regarding claims 24-25, Sugiyama discloses the virtual terminal interface including a network interface (col. 4 lines 14-31 and lines 41-51). Although Sugiyama does not specifically teaches the virtual terminal interface including a radio communication interface, it is old and notoriously well known in the art of replacing a network interface by a radio communication interface in order to improve the mobility and portability of a plurality of information communication devices. Thus, one skill in the art would recognize Sugiyama in having the virtual terminal interface including a radio communication interface.

Regarding claim 26, Sugiyama discloses the first communication device being capable of communicating voice, image and data (col. 2 lines 55-58) so that one skill in the art would recognizes the first communication device being at least one of a cell phone, a personal computer, and a videophone.

Regarding claim 27, the examiner takes an Official notice that it is old and notoriously well known in the art of converting data from a first MPEG format to a second MPEG format in order to improve the compatibility between communication devices.

Regarding claim 28, Sugiyama teaches to extract information from the first content part so as to reduce an amount of the information that sends to the first communication device (col. 6 lines 4-6).

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Regarding claim 29, Sugiyama discloses the information that corresponding to the first content part being a digital representation of a voice signal, an image, a character and a numeral value (col. 2 lines 55-58).

Regarding claims 30-31, Sugiyama discloses information separating unit (17 figure 1) and the processing unit (16, figure 1) being at least partially implemented in software executed by a processor (col. 6 lines 24-50)

Regarding claim 32, Riffie teaches the calling terminal initiating a communication session by sending the calling signal to the signal interface (col. 5 lines 52-60).

Regarding claims 34-35, the limitations of the claims are rejected as the same reasons set forth in claim 18.

5. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US PAT. 5,392,284) in view of Bruno et al. (US PAT. 6,356,533 hereinafter Bruno) as applied in claim 18 above, and further in view of Lu (US PAT. 6,100,918).

The combination of Sugiyama and Bruno differs from the claimed invention in not specifically teaching that the first communication device and the second communication device do not initiate a communication session with the calling terminal. However, Lu discloses a video conferencing system comprising a first communication device (28, figure 1), a second communication device (32, figure 1) and a calling terminal (22, figure 1), wherein the first communication device and the second communication device do not initiate a communication session with the calling terminal, instead the first communication device sends a service request to the calling terminal for initiating the communication session, thereby providing for efficient

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and convenient video conferencing in which only one way transmission of video is required. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Sugiyama and Bruno in having the first communication device and the second communication device not initiating a communication session with the calling terminal, as per teaching of Lu, in order to provide for efficient and convenient video conferencing in which only one way transmission of video is required.

Allowable Subject Matter

6. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 5-8 and 18-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

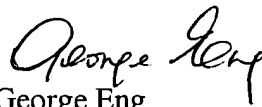
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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


George Eng
Primary Examiner
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